

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA	)	
	)	DOCKET NO. 3:22CR122-RJC
v.	)	
	)	<b>FACTUAL BASIS</b>
LUIS RAMIREZ AVILA	)	
_____	)	

NOW COMES the United States of America, by and through Dena J. King, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the defendant's guilty plea filed in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

Count One

1. On or about January 21, 2021, in the Western District of North Carolina, Defendant knowingly received child pornography.
2. Defendant received the child pornography using any means or facility of interstate and foreign commerce, to wit: the internet.

Count Two

3. On or about April 4, 2021, in the Western District of North Carolina, Defendant knowingly received child pornography.

4. Defendant received the child pornography using any means or facility of interstate and foreign commerce, to wit: the internet.

Count Three

5. On or about April 22, 2021, in the Western District of North Carolina, Defendant knowingly received child pornography.

6. Defendant received the child pornography using any means or facility of interstate and foreign commerce, to wit: the internet.

DENA J. KING  
UNITED STATES ATTORNEY

  
for

KIMLANI M. FORD  
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis and the Bill of Indictment in this case and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis and the Bill of Indictment. I hereby certify that the defendant does not dispute this Factual Basis.



Erin K. Taylor, Attorney for Defendant

DATED: 11/21/2022